

PJS:TSJ:jm

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

| | | |
|-------------------------------|---|----------------------|
| WILLIAN TAVERAS GOMEZ, | : | NO. 3:CV-08-0619 |
| BARBARA GOMEZ, WILFREDO | : | |
| RAFAEL TAVERAS, WILIANA | : | |
| TAVERAS, by their next friend | : | (Judge Caputo) |
| WILIAN TAVERAS GOMEZ, | : | |
| Plaintiffs | : | |
| | : | |
| v. | : | |
| | : | |
| WILLIAM J. FEISSNER, et al., | : | |
| Defendants | : | Filed Electronically |

DEFENDANTS CHISTINO'S AND EPPELY'S
MOTION TO DISMISS AND FOR SUMMARY JUDGMENT

Now comes Defendants David Christino and Dane Eppley, by and through their counsel, Peter J. Smith, United States Attorney for the Middle District of Pennsylvania and Assistant United States Attorney Timothy S. Judge and requests the Court to dismiss them from this action and grant judgment in their favor. A brief in support with a statement of material facts has been filed contemporaneously with this motion.

WHEREFORE, Defendants Christino and Eppley request this Court to grant their motion and dismiss them from this action and grant judgment in their favor.

Respectfully submitted,

PETER J. SMITH
UNITED STATES ATTORNEY

/s/ Timothy S. Judge
TIMOTHY S. JUDGE
Assistant U.S. Attorney
Atty. I.D. #PA 203821
P.O. Box 309
Scranton, PA 18501
Phone 348-2800
Fax: 348-2830
E-Mail: timothy.judge@usdoj.gov

Dated: July 29, 2010

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

| | | |
|-------------------------------|---|------------------------|
| WILLIAN TAVERAS GOMEZ, | : | |
| BARBARA GOMEZ, WILFREDO | : | |
| RAFAEL TAVERAS, WILIANA | : | CIVIL NO. 3:CV-08-0619 |
| TAVERAS, by their next friend | : | (Caputo, J.) |
| WILIAN TAVERAS GOMEZ, | : | |
| Plaintiffs | : | |
| | : | |
| v. | : | |
| | : | |
| DAVID CHRISTINO, et al., | : | |
| Defendants | : | |

CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.

That on July 29, 2010, she served a copy of the attached

DEFENDANTS CHISTINO'S AND EPPELEY'S
MOTION TO DISMISS AND FOR SUMMARY JUDGMENT

by electronic service pursuant to Local Rule 5.7 to the following individual:

Addressee:

Laurence E. Norton, Esquire
Community Justice Project
118 Locust Street
Harrisburg, PA 17101

Patrick S. Cawley
Deputy Attorney General
Office of Attorney General
15th Floor, Strawberry Square
Harrisburg, PA 17120

/s/ Jodi Matuszewski
Jodi Matuszewski
Legal Assistant